

## REMARKS

This Response is submitted in reply to the Office Action dated October 10, 2003, and in accordance with the interview conducted on November 5, 2003. A Petition for a Two-Month Extension of Time to Respond to the Office Action is submitted herewith. A Second Supplemental Declaration of Aaron Jones is also submitted herewith. A check in the amount of \$420.00 is submitted to cover the cost of the two-month extension. Please charge Deposit Account No. 02-1818 for any in sufficiency or credit for any overpayment.

The Office Action rejected:

- (a) Claims 1 to 4, 11 to 28, 32, 34 to 39, 42 to 46 and 49 under 35 U.S.C. § 103(a) as being unpatentable over Barrie (U.S. Patent No. 5,883,537, in view of Medl et al. (U.S. Patent No. 6,209,006);
- (b) Claims 5 to 8, 19 to 24, 26 to 31, 40, 41, 47 and 48 under 35 U.S.C. § 103(a) as being unpatentable over Barrie and Medl and further in view of Fey;
- (c) Claim 25 under 35 U.S.C. § 103(a) as being unpatentable over Barrie and Medl and further in view of Walker; and
- (d) Claim 33 under 35 U.S.C. § 103(a) as being unpatentable over Barrie and Medl in further view of Victor et al.

Applicant respectfully disagrees with these rejections and traverses for at least the following reasons. Applicant also submits the Second Supplemental Declaration of Under 37 C.F.R. § 1.132 of Aaron Jones, as discussed below.

The Office Action indicates that the Declaration of Aaron Jones filed on August 25, 2003 is insufficient to overcome the rejection of Claims 1 to 48 based on obviousness under 35 U.S.C. § 103. The Office Action explains that:

The declaration fails to present independent evidence that the problem solved was a long-felt need. The articles presented suggest that once a solution was presented it was readily accepted. The articles suggest that once Sigma's products came on the market, they were hailed as a great

innovation. But there is nothing in the record to suggest that the industry had recognized this issue and had actively pursued a solution.

True, Mr. Jones discusses the evolution of payable displays. But the record does not provide any independent objective evidence in support of his belief that the industry has sought to simplify payable displays for 25 years or more. Mr. Jones' belief is simply his opinion. While Mr. Jones' opinion carries some weight, it is of insufficient probative value to overcome the rejections.

It should also be noted that at least part of Mr. Jones' declaration tends to show the industry making the payable displays more complex. For instance, paytables went from being a relative simple table that was continuously displayed to being a complex table that required multiple pages to display. Mr. Jones' description of "next" and "previous" buttons does not address the issue simplification of table display – the existence of these buttons merely suggests that the paytables and become more complex.

Highlighting or boxing the winning symbols does not appear to address simplifying the payable display. First, these occurred only after a win had occurred. Second, boxing did not even occur on the payable – Mr. Jones describes boxing the symbols on the reel. While this may have had the effect of helping the player determine why he had won, it did nothing to actually simplify the payable itself.

Grouping the symbols in the payable into related groups does simplify the payable, but this has been done since early in the history of slot machines. Fey shows a payable with grouped symbols used by the 1899 Liberty Bell. Examiner does not believe that this constitutes evidence of a long-felt need to hyperlink symbols on the reel to the payable information.

Applicant respectfully disagrees with this analysis. First, the fact that IGT (at least through Mr. Jones who is an employee at IGT and the assignee of the present application) and the fact that Sigma worked on the solution provided by the present

invention, demonstrates that a portion of the gaming industry had recognized the issue and sought a solution. Second, the paytables have become more complex due to other developments in the industry such as video or virtual reels and the need to make gaming machines more fun and exciting. The need for the present invention arose because of this greater complexity. The “next” and “previous” buttons are simple tools which manufacturers provide to make the navigation of the complex paytables easier for the player. Thus, the fact that the “previous” buttons were added demonstrates that the gaming industry had recognized the issue of complex and long paytables and sought a solution.

Third, to provide additional independent evidence of the long-felt need for the present invention, a Second Supplemental Declaration of Aaron Jones is hereby submitted. The articles referenced below which are submitted with this Second Supplemental Declaration provide further independent evidence of the long-felt need for inventions which provide payable information to player's in an easier manner including the manner of the present invention. Note that IGT has not yet implemented the present invention in its gaming machines and thus documents after the filing date are relevant to this issue.

The document entitled “Slot Machine Tips” sets forth the following:

**Rule #1 – Understand what you are playing:**

It is extremely important to read and understand the **pay table** of each machine you are playing. This way you know what you are trying to ‘hit’ and what is the required combination to hit the **Jackpot** on each machine. On some machines that are connected to jackpots you *must* bet the maximum credits/coins and also land on the correct winning symbols in order to collect that machines Jackpot.

The document entitled “Free Slot Tips” on page 2 says that:

Recognize the symbols that constitute a jackpot on your machine. All machines are different. Las Vegas attendants say winners routinely walk away from winning machines without waiting for the rest of the payout from attendants. The largest jackpots are all paid

by attendants. Play the machines that pay out the most money for your 3 bet spin.

The document "Where to Play Slots" says that:

**Understand what you are playing.**

This is very important, be sure to always read the pay table of the machine you are playing so that you know what you are looking for and the jackpot requirements.

On some slots connected to jackpots you have to bet the maximum coins/credits and get the winning symbols to collect the jackpot. There's nothing worse than getting the jackpot symbols and realising that for one dollar more you would have won \$100000 instead of \$1000.

The same goes for slots that offer free spins or bonus features, if you understand what you need to get you won't walk away only a few spins from getting them. Understanding what your playing can greatly increase the enjoyment.

The document "Slot Players World.com" states the following:

**Playing Strategy 1 - Understand what you are playing**

This is very important, be sure to always read the pay table of the machine you are playing so that you know what you are looking for and the jackpot requirements. On some slots connected to jackpots you have to bet maximum coins/credits and get the winning symbols to collect the jackpot.

There's nothing worse than getting the jackpot symbols and realising that for one dollar more you would have won \$100000 instead of \$1000. The same goes for slots that offer free spins or bonus features, if you understand what you need to get you won't walk away only a few spins from getting them.

The document "The Fruit Machine. Tips for Winning at Slots" says:

**Understand the fruit machine's payoff schedule** – Winning at slots means being observant and understanding the payoff schedule on any slot machine that you play. This will prevent misunderstandings and resulting disappointments after certain wins. Once you have done this, you'll probably avoid certain machines.

The document "Gamasutra.com" says on page 6:

When a game is initiated, output from the RNG is funneled through the odds calculations. At this point, the game outcome is calculated and displayed (either by spinning reels or a video screen), and evaluated for potential winning combinations. Payouts are based on the amount wagered and the paytable, the schedule of awards for any given game outcome. Naturally, the longer the odds of hitting a certain combination, the higher the payout will be. It's important that the paytable be displayed and communicated clearly to the player, otherwise disputes are likely to result. Traditionally, paytables were printed on the backlit glass that is part of almost all game cabinets, however the increased popularity of video-based games has allowed developers to display more informative and interactive paytables on the video monitors. These paytables, along with general game help, are usually accessed through touchscreen buttons.

The document entitled "Gaming Machines" says that:

#### THE PAY TABLE

It is important to carefully read the Pay Table of a slot machine as this explains how the game plays and pays. The information on Pay Tables varies from game to game but all include the following:

- The minimum and maximum number of tokens or credits required to play.
- The symbols required to make up a winning combination.
- The credit payout for the winning combinations.
- The Top Award.

- Special features such as a "wild" symbol (a substitute symbol), for example.

These documents all indicate the gaming industry knowledge of the importance of the player understanding the payable and the winning symbol combinations of the payable.

The article entitled "Multiple Paylines May Vex Some Players" further highlights the gaming industry's knowledge of the need for additional methods of presenting payable information to the players. In particular, the article reiterates the following typical question from a slot player:

Question: Today's machines seem so complicated. Lines going everywhere, coin amounts needed to insert confusing, and of course, try figuring out the payoffs. Most confusing though is multipliers and multiple paylines machines. Help! Also, is there any consistent way to win at playing these new machines?

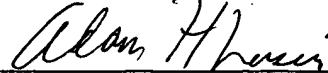
This further indicates that the gaming industry has long understood the long-felt need for solutions for to make the complex paytables more understandable to players while still maintaining the complexity of the games which provide the enhanced fun and excitement for the players. These articles therefore provide independent evidence of the long-felt need for the present invention. This long-felt need existed for many years while Internet and, specifically, hyperlinking such as in the Medl reference was well known. However, prior to the present invention, such hyperlinking was never employed in the manner of the present invention to solve this long felt need.

Accordingly, it is respectfully submitted that the rejection of Claims 1, 11, 34, 39, 42, 44 and 46 and the dependent claims which respectfully depend therefrom should be withdrawn.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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Dated: February 24, 2004